

AMENDED IN SENATE JUNE 18, 2002  
AMENDED IN ASSEMBLY MAY 21, 2002  
AMENDED IN ASSEMBLY APRIL 30, 2002  
AMENDED IN ASSEMBLY APRIL 1, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2255**

**Introduced by Assembly Member Wright**

February 20, 2002

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An act to add and repeal Section 1597.02 of the Health and Safety Code, relating to care facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 2255, as amended, Wright. Day care centers: activity space: licensing regulation review.

Under existing law, the California Child Day Care Facilities Act, the State Department of Social Services regulates the provision of day care in various settings, including day care centers, as defined. Existing regulations adopted by the department govern the minimum amount of indoor and outdoor activity space required for child care centers.

This bill would require the department to conduct a pilot project in the County of Los Angeles, if the county chooses to participate, to test the impact of modifying the outdoor activity space square footage requirement, as specified in the bill, on the availability and quality of care at licensed day care centers.

This bill would require every licensed day care center in the county *that participates in the pilot project* to provide a minimum of 35 square

feet of indoor activity space per child, and 50 square feet of outdoor activity space per child, based on the total licensed capacity. The bill would authorize the department to grant exemptions to these provisions under specified circumstances. It would also require the department to revise and adopt all necessary regulations to implement the bill.

This bill would require the department to evaluate the impact of modifying the outdoor square footage requirement according to specified criteria, and to report its findings to the Legislature on or before July 1, 2007. The bill would make these provisions operative only until January 1, 2008.

This bill would require the department to conduct a review of child care licensing regulations to determine which of the regulations impose impediments to the establishment of licensed child care programs in geographic areas meeting specified criteria. The bill would require the department to report its findings to the appropriate committees of the Legislature on or before July 1, 2003.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 1597.02 is added to the Health and
- 2 Safety Code, to read:
- 3 1597.02. (a) The department shall conduct a pilot project in
- 4 the County of Los Angeles, if the county chooses to participate, to
- 5 test the impact of modifying the outdoor activity space square
- 6 footage requirement, pursuant to paragraph (2) of subdivision (b),
- 7 on the availability and quality of care at licensed day care centers.
- 8 (b) (1) Every licensed day care center, as defined in Section
- 9 1596.76, *that is providing services under the pilot project*, shall
- 10 provide a minimum of 35 square feet of indoor activity space per
- 11 child, based on the total licensed capacity.
- 12 (2) Every licensed day care center, as defined in Section
- 13 1596.76, *that is providing services under the pilot project*, shall
- 14 provide a minimum of 50 square feet of outdoor activity space per
- 15 child, based on the total licensed capacity.
- 16 (c) The department may grant an exemption from any of the
- 17 requirements of this section to a licensed day care center upon a
- 18 showing of good cause, if the department determines that the



1 exemption does not pose a risk to the health and safety of the  
2 children.

3 (d) The department shall revise and adopt all necessary  
4 regulations to implement this section.

5 (e) The department shall evaluate the pilot project and report its  
6 findings to the appropriate committees of the Legislature on or  
7 before July 1, 2007. The report shall evaluate the impact of the  
8 pilot project on licensed day care centers in Los Angeles County,  
9 including, but not limited to, the following:

10 (1) To what extent, if any, the pilot project increased the  
11 availability of day care, or whether the pilot project served only to  
12 reduce outdoor activity space square footage.

13 (2) The impact of reducing the outdoor activity space per child  
14 to 50 square feet.

15 (3) The impact of any exemptions granted by the department.

16 (4) The percentage of facilities providing 75 square feet or  
17 more of outdoor activity space per child prior to the pilot project  
18 and the percentage of those with less than 75 square feet upon  
19 conclusion of the pilot project, including the number of children  
20 served.

21 (f) This section shall only apply to licensed day care centers in  
22 the County of Los Angeles, until January 1, 2008, if the county  
23 chooses to participate in the pilot project established pursuant to  
24 this section.

25 (g) This section shall be operative only until January 1, 2008,  
26 and as of that date is repealed, unless a later enacted statute, that  
27 is enacted on or before January 1, 2008, deletes or extends that  
28 date.

29 SEC. 2. (a) The State Department of Social Services shall  
30 conduct a review of child care licensing regulations to determine  
31 which regulations impose impediments to the establishment of  
32 licensed child care programs in geographic areas that have any of  
33 the following features:

34 (1) High density development.

35 (2) High land cost.

36 (3) High proportion of low-income families.

37 (4) The geographic area has been identified by the department  
38 as underserved by licensed child care programs.

39 (b) The department shall include in its review an analysis of the  
40 types of waivers most frequently requested in each type of

- 1 geographic area described in subdivision (a) and any other
- 2 appropriate measures of impediments to the establishment of
- 3 licensed child care programs under existing regulations.
- 4 (c) The department shall report its findings to the appropriate
- 5 committees of the Legislature on or before July 1, 2003.

